

### REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed June 19, 2006. At the time of the Final Office Action, Claims 1-17 were pending in this Application. Claims 1-17 were rejected. Applicants respectfully request reconsideration and favorable action in this case.

#### **Rejections under 35 U.S.C. § 102**

Claims 1-2 and 11 stand rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 4,509,093 issued to Karl-Heinz Stellberger ("Stellberger"). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

The Examiner stated that Stellberger discloses that the comparison phase between the output signals produced in each working cycle is preferable made alternately in the key and then in the lock part. However, Applicant still believes that Stellberger does not anticipate the present independent claims.

According to the independent claims, first a single unidirectional transmission takes place between the first object and the at least one further object. This transmission includes a single item of information. Then a computation result in the relevant receiving object from parts of the transmitted information is performed. Then, the calculated computation result is compared with a computation result transferred with the information in the relevant receiving object. Finally, the first object is authenticated to the at least one further object only if there is a match between the calculated computation result and transferred computation result, and declaring the computation result as invalid for further transmissions.

The Examiner cited Col. 4, lines 22-27 which refers to the method using multiple working cycles explained in Col. 3, line 56 to Col. 4, line 21 and in detail in the specification starting at Col. 8, line 13 and shown in Fig. 3. The described mechanism does not apply to the method disclosed in Fig. 2. According to this method, activation of a lock is allowed after a plurality of cycles have been successfully performed wherein a comparison of the results calculated in the key- and lock-unit is performed alternately in the key unit or in the lock unit. However, to be able to perform this, Stellberger discloses to initially perform a bi-directional transmission in step  $D_n$ . Then, the key- and the lock-unit perform in parallel calculations using the respectively transmitted data. Then, in the first working cycle in step  $J_1$  the lock unit transmits its result to the key unit which then performs a comparison in step  $K_1$ . In the following second working cycle further calculations using the previously transmitted data are performed and then the key unit transmits this second result to the lock unit in step  $J_2$  which then performs a comparison in step  $K_2$ .

Thus, to allow for a alternately comparison of results Stellberger teaches to use an initial bi-directional transmission and further single transmissions of the respective results in steps  $J_n$ . According to Claim 1, however, a single uni-directional transmission takes place at the beginning of an authentication process. Therefore, Stellberger does not anticipate the method as claimed. Applicants respectfully submit that the dependent Claims 2-10 are allowable at least to the extent of the independent Claim 1 to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of these dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §102, if necessary, and do not concede that the Examiner's proposed combinations are proper.

### **Rejections under 35 U.S.C. §103**

Claims 3-10 and 12-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stellberger and in view of U.S. Patent 6,381,699 issued to Paul C. Kocher et al. ("Kocher"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Applicants respectfully submit that the dependent Claims 3-10, and 12-17 are allowable at least to the extent of the independent Claims 1 and 11 to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of these dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

**CONCLUSION**

Applicants have made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time; however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Andreas Grubert at 512.322.2545.

Respectfully submitted,  
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